

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SHEILA PORTER,

Plaintiff

V.

ANDREA CABRAL, SUFFOLK
COUNTY SHERIFF'S DEPARTMENT,
SUFFOLK COUNTY, and
CORRECTIONAL MEDICAL
SERVICES, INC.

Defendants

Civil Action No. 04-11935-DPW

DECLARATION OF DAVID S. SCHUMACHER

I, David S. Schumacher, being duly sworn, depose and state the following:

1. I am an attorney with the law firm Goodwin Procter LLP, Exchange Place, Boston, Massachusetts, 02109, and a member in good standing of the bar of the Commonwealth of Massachusetts and the United States District Court for the District of Massachusetts.

2. Goodwin Procter is counsel to Plaintiff Sheila Porter ("Mrs. Porter") in the above-captioned proceeding. I submit this Declaration in support of Mrs. Porter's Motion to Compel Discovery from Andrea Cabral ("Ms. Cabral"), Suffolk County Sheriff's Department ("SCSD") and Suffolk County (collectively, "Suffolk Defendants").

3. Attached hereto as Exhibit 1 is a true and accurate copy of portions of the deposition of Mary Ellen Mastrorilli, dated June 27, 2005.

4. Attached hereto as Exhibit 2 is a true and accurate copy of portions of the deposition of Donna Jurdak, dated June 20, 2005.

5. Attached hereto as Exhibit 3 is a true and accurate copy of portions of the deposition of Ms. Cabral, dated May 9, 2005 and June 24, 2005.

6. Attached hereto as Exhibit 4 is a true and accurate copy of Mrs. Porter's Second Request for Production of Documents to the Suffolk Defendants.

7. Attached hereto as Exhibit 5 is a true and accurate copy of Mrs. Porter's Second Set of Interrogatories to the Suffolk Defendants.

8. Attached hereto as Exhibit 6 is a true and accurate copy of a letter from David Schumacher to Ellen Caulo, dated August 25, 2005.

9. Attached hereto as Exhibit 7 are true and accurate copies of the Suffolk Defendants' Responses to Mrs. Porter's Second Request for Production of Documents.

10. Attached hereto as Exhibit 8 are true and accurate copies of the Suffolk Defendants' Responses to Mrs. Porter's Second Set of Interrogatories.

11. Attached hereto as Exhibit 9 is a true and accurate copy of a letter from Ellen Caulo to David Schumacher, dated September 7, 2005.

12. Attached hereto as Exhibit 10 is a true and accurate copy of portions of the deposition of Sheila Porter, dated May 18 and 26, 2005.

13. Attached hereto as Exhibit 11 is a true and accurate copy of a SCSD Sheriff's Investigative Division ("SID") Incident Report, dated May 23, 2003.

14. Attached hereto as Exhibit 12 is a true and accurate copy of a SCSD SID Memo to

the Rosario File, dated May 29, 2003.

15. Attached hereto as Exhibit 13 is a true and accurate copy of portions of the deposition of Viktor Theiss, dated May 24, 2005.

16. Attached hereto as Exhibit 14 is a true and accurate copy of portions of the deposition of Brian Dacey, dated June 16, 2005.

17. Attached hereto as Exhibit 15 is a true and accurate copy of a Memo to File written by Andrea Cabral.

18. Attached hereto as Exhibit 16 is a true and accurate copy of a Memo to the Rosario File written by Brian Dacey.

19. Attached hereto as Exhibit 17 is a true and accurate copy of Mrs. Porter's Request for Admissions.

20. Attached hereto as Exhibit 18 is a true and accurate copy of the Suffolk Defendants' Response to Mrs. Porter's Request for Admissions.

21. Attached hereto as Exhibit 19 is a true and accurate copy of portions of the Report of the Special Commission on the Suffolk County Sheriff's Department.

22. Attached hereto as Exhibit 20 is a true and accurate copy of Mrs. Porter's First Request for Production of Documents to the Suffolk Defendants.

23. Attached hereto as Exhibit 21 is a true and accurate copy of Latour, F., "Two Guards Acquitted in Beatings," *Boston Globe*, April 1, 2003, p. B1

24. Attached hereto as Exhibit 22 is a true and accurate copy of SCSD Policy S-220, dated April 2005.

25. Attached hereto as Exhibit 23 is a true and accurate copy of portions of the deposition of Elizabeth Keeley, dated May 11, 2005.

26. Attached hereto as Exhibit 24 is a true and accurate copy of Y. Abraham, "Suffolk Sheriff Was in Default on School Loans," *Boston Globe*, May 22, 2003, p. B4.

27. Attached hereto as Exhibit 25 is a true and accurate copy of A. Donlan, "Cabral Keeps Paying for Finance Blunders," *Boston Herald*, August 12, 2004, p. 25.

28. Attached hereto as Exhibit 26 is a true and accurate copy of F. Latour, "U.S. Judge Fines Suffolk Sheriff's Office; Women Are Owed \$5M in Settlement," *Boston Globe*, April 5, 2003, p. B3

Signed under the penalties of perjury this 11th day of November, 2005.

/s/ David Schumacher
David S. Schumacher

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